

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DOMINGO RAMIREZ RODRIGUEZ,

Defendant.

Case No. CR19-249RSL

ORDER GRANTING
UNOPPOSED MOTION TO
CONTINUE TRIAL AND
PRETRIAL MOTIONS
DEADLINE

This matter comes before the Court on defendant's "Unopposed Motion to Continue the Trial and Pretrial Motions Deadline." Dkt. # 25. Having considered the facts set forth in the motion, and defendant's knowing and voluntary waiver, Dkt. # 24, the Court finds as follows:

1. The Court adopts the facts set forth in the unopposed motion: specifically, that the government has communicated that the case is related to the Castro-Ruiz multi-defendant case, that some of discovery is subject to a protective order, that defendant requires the use of an interpreter, that measures taken in response to Covid-19 at the federal detention center where defendant is housed have limited defense counsel's access to defendant, that defense counsel needs additional time to investigate, review discovery with his client, and prepare for trial. Dkt. # 25. The Court accordingly finds, for the reasons detailed in the motion, that the ends of justice served by continuing the trial outweigh the interests of the public and defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), B(i), (ii), (iv); see also W.D. Wash. Gen. Order Nos. 15-20, 18-20.

ORDER GRANTING UNOPPOSED MOTION TO CONTINUE
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1 2. The Court finds that a failure to continue the trial date in this case would likely
2 result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

3 3. The Court further finds that the charges are serious and carry potential substantial
4 imprisonment penalties and the case is of sufficient complexity due to the volume of discovery
5 provided and to be provided, and the current Covid-19 restrictions, that it is unreasonable to
6 expect adequate preparation for pretrial proceedings or the trial itself by the dates currently set,
7 within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii).

8 4. The Court further finds that a failure to grant a continuance would deny defense
9 counsel, and any potential future counsel, the reasonable time necessary for effective
10 preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C.
11 § 3161(h)(7)(B)(iv).

12 5. The Court further finds that the additional time requested between April 12, 2021
13 and the proposed trial date of October 4, 2021, is a reasonable period of delay. The Court finds
14 that this additional time is necessary to provide defense counsel reasonable time to prepare for
15 trial, considering all the facts set forth above.

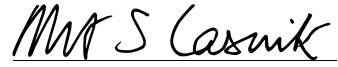
16 6. Defendant has executed a waiver indicating that he has been advised of his right to
17 a speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived
18 that right and consented to the continuation of his trial to a date up to and including November
19 30, 2021, Dkt. # 24, which will permit his trial to start on October 4, 2021.

20 IT IS HEREBY ORDERED that the trial date shall be continued from April 12, 2021, to
21 October 4, 2021, and pretrial motions are to be filed no later than August 5, 2021.

22 IT IS FURTHER ORDERED that the period of time from the current trial date of April
23 12, 2021, up to and including the new trial date, shall be excludable time pursuant to the Speedy
24 Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of
25 this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. § 3161(h)(1)(D),
26 (h)(7)(A), and (h)(7)(B)(i), (ii), (iv).

27 IT IS SO ORDERED.

1 DATED this 22nd day of February, 2021.

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4 Robert S. Lasnik

5 United States District Judge
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